



JAVELL FOX 12B1626  
WALLKILL C.F  
Box G ; ROUTE 208  
WALLKILL, NY 12589

December 22, 2022

FOX V GIFFORD 20-CV-0797  
Sur-reply in the interest of Justice letter Motion

Dear Magistrate Judge Lovrie

On or around December 20, 2022  
Plaintiff received Defendants reply motion  
to plaintiff reply to summary judgement.

Defendants stated that plaintiff  
failed to respond to Defendants Motion state-  
ment of facts. plaintiff never received the  
statement of facts, and state that sub-  
stitute counter is making error.

Also pursuant to F.R.C.P 56(c)(1)(B)  
Plaintiff Disputed all arguments raised in the  
summary judgement Motion and reply and further  
submit Declaration By Daman Hunter that  
was submitted in a prior case to show a pattern



of Defendants keep locking plaintiff then  
liar about it, see exhibit A. furthermore  
there is no punishment for plaintiff not  
having a prison i.d., it's a \$2.00 charge for  
a new one and a furnishing of a temporary  
one until the new one is received, see  
exhibit Declaration of Plaintiff Javell Fox

Plaintiff is indigent and have no funds  
for copies and is being denied copies can  
you furnish a copie of this letter Motion  
to Defendants please.

Even Arguendo plaintiff was interviewed  
by a Lt in Attica and forgot because  
of the length of time, it was still past  
the deadline for the Supt to respond to  
his grievance by nearly 60 days and  
plaintiff appealed and still got no re-  
sponse from C.O.R.C and filed this  
civil suit and remedy were exhausted  
as unavailable.

Correction officials lie all the time  
and cover for each other your Honor



and AAG's back them up and cover up  
for them AS well. Plaintiff was in  
fact keeplocked and there was a  
feed up Prisoner that feed Prison  
trey's to keeplock Prisoners and a Trial  
will prove that your Honor.

Please Don't Allow these officials  
to get away with what they are doing  
which is lies this is clear retaliation  
and an attempt to cover it up.

Jamell  
Javell Fox  
Wallkill C.F.  
Box G Route 208  
Wallkill N.Y 12589

To: AAG Mc Daniels  
Assistant Attorney General  
The Capitol  
Albany N.Y 12224



EXHIBIT

A



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JAVELL FOX  
V Plaintiff

SGT SHEFTIC  
Defendant

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DECLARATION  
DAMON HUNTER  
9:19-cv-00498  
(BKS/ATB)

I Damon Hunter am currently incarcerated at Auburn Correctional Facility. I witnessed Javell Fox on Keyplock from on or around August 30, 2018 to September 2, 2018 as I was the feed up porter who feed inmates on Keyplock. I overheard C.O.s and SGTs state that inmate Javell Fox was Keyplocked for his Mohawk hairstyle. I make this Declaration from personal knowledge and declare that the foregoing is true.

March 19, 2019

Witness  
Jane

Damon Hunter



EXHIBIT

B



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JAVELL FOX  
Plaintiff

- Against -

C.O ANDREJ L. GIFFORD  
Defendant

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JAVELL FOX  
Declaration  
20-CV-0797

I Javell Fox has been in prison for 11 years and is familiar with DOCS disciplinary system. Not having an I.D on your person is a disciplinary violation and if it is, its only used as punishment to retaliate against as a person that a DOCS official don't desire, such as the case with plaintiff, as plaintiff was on Holdover at Auburn Correctional facility for court.

court hold overs are not issued a phone i.d as regular Auburn C.F Prisoner population is, they are only left with there regular I.d and must place that in the phone slot in order to use the phone, so while they are waiting they have there I.d in the phone slot, such as Plaintiffs situation.

Therefore plaintiff being keeplocked was done out of retaliation for his civil suits that defendant was aware of.

11/22/22

